

REMARKS

Reconsideration of this application and the allowance of the rejected claims 1-17 are respectfully requested. Applicant has attempted to address every ground for rejection in the Office Action dated September 28, 2009 (Paper No. 20090329) and believes the application is now in condition for allowance. The specification and claims have been amended to more clearly describe the present invention.

Claims 1-17 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite because the Examiner cites several informalities in the claims that require correction and/or clarification. Applicant has amended the claims to correct the informalities and clarify the claims as shown above. Accordingly, Applicant requests that the rejection of claims 1-17 under §112 be withdrawn.

Claims 1-17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,862,618 to Szabo. Applicant disagrees with and traverses this rejection for the following reasons.

One advantage of the firearm magazine of the claimed invention is that the magazine includes a housing having a “base member [that defines] . . . a recess configured to be accessible from outside of said housing” and a “spring resting directly on said base member and terminating in a downwardly bent section that is removably engaged with said recess of said base member.” The engagement of the end of the spring in the recess allows the spring to sit directly

on the base member, i.e., bottom of the housing, so that the spring occupies a minimal amount of space inside the housing. The extra space provides more space for cartridges or bullets to be loaded in the magazine compared to conventional firearm magazines (see the specification, page 5, lines 20-27). Also, the downwardly bent section of the spring secures the base member relative to the housing and prevents the base member from sliding out of position.

In contrast, Szabo discloses a hand-gun conversion kit including a magazine 5 shown in Fig. 7 that has a housing having a follower 87 that is biased upwardly within the housing by a compression coil spring 89. The coil spring 89 is seated between a cover 91 and the follower 87. As shown in Figs. 3 and 7 of Szabo, the spring is seated on the bottom cover 91 but is not attached to or otherwise engaged with the cover. Furthermore, the spring does not include a downwardly bent section or end that engages any portion of the housing. In this regard, Szabo also fails to disclose a base member that defines a recess configured to be accessible from outside of the housing as recited in amended claim 1. Instead, Szabo discloses a generally planar bottom cover 91 that does not include any type of recesses or openings for engaging the spring. The spring in Szabo therefore takes up more space inside the magazine than the claimed invention.

Claims 5, 11 and 16 include similar subject matter to amended claim 1. Specifically, amended claim 5 recites, among other things, a magazine for a firearm including the housing having a base member where “said base

member [defines] . . . a recess configured to be accessible from outside of said housing,” and “a spring mounted inside said housing and resting directly on said base member, said spring terminating in a downwardly bent section that is removably engaged with said recess of said base member.”

Similarly, amended claim 11 recites, among other things, a magazine for a firearm that includes “a housing having . . . a base member” where “said base member [defines] . . . a recess configured to be accessible from outside of said housing” and “ a spring received within said housing and having an end that is removably engaged with said recess.”

Claim 16 recites, among other things, a magazine for firearm including a housing having a base member where “said base member [defines] . . . a recess configured to be accessible from outside of said housing” and “a spring mounted inside said housing including a plurality of spirals, said spring movable between a first extended position and a second retracted position, wherein said spring has a height in said second retracted position less than a sum of the thickness of said plurality of spirals, and wherein said spring terminates with a downwardly bent section that is removably engaged with said recess.” As stated above, Szabo fails to disclose a spring having a downwardly bent section that engages a recess defined by a bottom or base member of the housing.

For at least these reasons, Applicant submits that amended claims 1, 5, 11 and 16, and the claims that depend therefrom, are each patentably distinguished over Szabo and in condition for allowance.

New claim 18 recites, among other things, that the “said base member is attached to said housing for sliding movement relative to said housing, and said downwardly bent section of said spring and said recess are located in a plane extending transversely to the direction of sliding movement of said base member.” As seen in Fig. 5 of Applicant’s application, the base member slides relative to the housing so that it can be removed from the housing. The recess 12 is configured to be transverse to the planar surface of the base member where the bent section 4 of the spring also extends transversely to the direction of movement of the base member shown by the arrow.

New claim 19 recites, among other things, that the “base member is plate-shaped and includes a planar inner support surface that extends to a rear rim of said base member and said recess is adjacent to a front end of said support surface opposite to said rear rim.” As stated above, Szabo does not disclose that the bottom member of the housing has any type of recess or opening for engaging an end of the spring. Szabo also fails to disclose that the bottom cover of the housing is removable or otherwise slidable relative to the housing.

Accordingly, Applicant submits that new claims 18 and 19 are each patentably distinguished over Szabo and in condition for allowance.

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In view of the above remarks, the application is respectfully submitted to be in allowable form. Allowance of the rejected claims is respectfully requested. Should the Examiner discover there are remaining issues, which may be resolved by a telephone interview, he is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,

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